

IN RE: PETITION FOR ZONING VARIANCE  
C/L of Ridge Road, 2000' SE  
of Old Court Road  
(2909 Ridge Road)  
2nd Election District  
1st Councilmanic District  
Carmel B. Whetzel  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-440-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 15 feet in lieu of the required 25 feet for a partially completed garage, a side yard setback of 3 feet in lieu of the required 18.75 feet for an existing patio with roof, and an existing accessory structure (barn) with a height of 23 feet in lieu of the maximum permitted 15 feet, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Thomas V. Dore, Esquire. Appearing as a Protestant in the matter was Harry Chay Fox, Jr.

Testimony indicated that the subject property, known as 2909 Ridge Road, consists of 1.7903 acres zoned R.C. 3 and is improved with a single family dwelling, swimming pool, barn, and partially completed garage. Testimony presented indicated that Petitioner was recently issued a stop work order by the Baltimore County Department of Permits and Licenses for building the subject garage without benefit of a permit. Said garage is being connected to the existing dwelling by a breezeway. Mr. Whetzel testified that the 20' x 24' garage was approximately 75% completed when the stop work order was issued. Petitioner subsequently filed for a building permit and was advised at that time to file the instant Petition for the garage. It was also determined at that time that variances for both

the existing patio and barn were required. All existing and proposed improvements are depicted in Petitioner's Exhibit 1.

Mr. Whetzel testified that he commenced construction of the garage approximately 15 years ago when he poured the concrete slab and parking pad. He testified that it was always his intention to build a garage, but due to the lack of sufficient funds, was only able to do so in bits and pieces until recently. Mr. Whetzel testified that he was aware he needed a permit but proceeded without. It is his opinion that the subject garage would be an improvement to the property and would not result in any detriment to the health, safety or general welfare of the surrounding community. Mr. Whetzel indicated that the location selected for the subject garage was the most practical in light of existing improvements on the property and that to require its removal or relocation would result in practical difficulty and unreasonable hardship with the loss of his investment in the project, which he estimated was approximately \$2500 to date.

Regarding the enclosed patio with roof addition, Mr. Whetzel testified that he began construction of same approximately 6 to 8 years ago and that it, too, was completed in bits and pieces. He indicated that the patio with roof was enclosed and mainly used during the summer months. On cross examination, Mr. Whetzel indicated that there was electricity to the porch but no water and that it had not been inspected.

Mr. Whetzel testified the subject barn existed on the property at the time of his purchase 25 years ago. He believes that it is 50 to 75 years of age and was part of the original farm in the area. Mr. Whetzel testified the subject building is structurally sound and is used by him as a hobby shop. On cross examination, Mr. Whetzel conceded that for the past few years, numerous telephone books have listed an advertisement for

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Date 4/13/90  
By [Signature]

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Whetzel and Son, Cabinet Shop and Builder with a telephone number and address of the subject property. He testified that this advertisement was initiated by his son and not by him. He further testified that the garage is used for hobbies, which on a number of occasions, have been for the benefit of neighbors. He indicated that he has been in the building trade for some time, was a licensed builder and had a home improvement license. He testified that he was aware that permits were needed for both the garage and enclosed porch/patio but decided not to obtain same.

Mr. Fox testified that his objection to the enclosed porch addition variance mainly concerns a safety issue. Mr. Fox believes that Petitioner's failure to abide by the permit process resulted in the inability to ascertain whether or not the structure met building code requirements. He indicated that any objections remaining would be withdrawn provided verification of the addition marked on Petitioner's Exhibit 1 as a Patio with Roof was verified to meet building code requirements. With respect to the garage, Mr. Fox testified that he was opposed to the subject barn due to his belief that Petitioner is using the building for commercial purposes. To support his position, Mr. Fox introduced photographs identified as Protestant's Exhibits 3A through 3I, depicting a commercial vehicle parked on the property and individuals carrying lumber into the barn and loading lumber onto a variety of trucks. Mr. Fox testified as to the regular use of the barn during the day by Petitioner and his sons and the loading and unloading of lumber from the barn into the trucks. He further testified that a dump truck has been at the site on numerous occasions loading supplies. To further support his position, Mr. Fox introduced as Protestant's Exhibit 4 a journal of the activities taking place on the property commencing on June 15, 1989 with the last date of entry on March

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By [Signature]

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5, 1990. The last entry indicates that cabinets were being loaded into a small pick-up truck. Mr. Fox testified that in his opinion, the granting of the variance for the subject barn would promote its commercial use. Mr. Fox also testified that the granting of the variance for the garage results in detriment to his use of his personal property as the garage is not far from his bedroom and the noise generated from the subject property disturbs his peace. He indicated that the hardship as testified to by Petitioner is self-created since at the time he began construction, Petitioner knew that a permit was necessary and he proceeded anyhow. Mr. Fox also introduced as Protestant's Exhibit 2 a letter to him from James H. Thompson, Zoning Enforcement Coordinator, dated May 1, 1990 indicating that the subject property had a prior violation and had been investigated for operating a business from a residence.

Subsequent to the hearing, the Petitioner and the Protestants met to resolve their differences. By letter dated May 30, 1990, Counsel for Petitioners submitted a Memorandum of Agreement signed by both sides and dated May 29, 1990 which has been incorporated into the file. In said agreement, Mr. Whetzel agreed that all commercial activity shall cease to be conducted from the premises known as 2909 Ridge Road, and Mr. Fox agreed to withdraw his opposition to the requested variances. The Petitioner and the Protestants agreed "to work together and resolve their differences in a neighborly manner."

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a

- 4 -

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-440-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11-102.3.B.4 which requires a 25 foot sideyard setback. Petitioner requests a variance so as to allow a 15 foot sideyard setback in lieu of the required 25 foot sideyard setback. By 301.1 to allow a 3 ft. sideyard setback in lieu of the required 18.75 ft. setback. As Section 400.2 to allow existing accessory structure to remain as is.

1. Hardship or practical difficulty to be established at the hearing on the matter.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Atorney for Petitioner: \_\_\_\_\_  
F. VERNON BOOZER  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address 2909 RIDGE ROAD  
BALTIMORE, MARYLAND 21207  
City and State \_\_\_\_\_  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Atorney's Telephone No.: (301) 828-9441 \_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Phone No. \_\_\_\_\_

ORDERED BY The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 1990, at \_\_\_\_\_ o'clock.  
J. Robert Hines  
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/13/90  
By [Signature]

RECEIVED DEPT. OF HEARING

DATE 4/13/90

ALL

RECEIVED BY: CAA DATE 2/14/90

C-90-1217

permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Testimony indicated that the subject barn has existed for an extended period of time and pre-dates Petitioner's purchase of the subject property. After due consideration of the testimony and evidence presented, and in light of the agreement reached between the Petitioner and the Protestants, the granting of the relief requested will be limited to the life of the existing building and only as long as said building is not used for commercial purposes. Petitioner has agreed to cease all commercial activity from the premises, which is important in light of the testimony and evidence presented regarding Petitioner's use of same for commercial purposes.

The testimony and evidence presented regarding the variance requested for the patio/porch with roof and garage would indicate that the granting of the variance in this instance would not result in any detriment to the health, safety or general welfare to the community, provided the relief granted is conditioned upon Petitioner applying for a permit and obtaining proof from Baltimore County that improvements were made pursuant to Baltimore County Code requirements. In the event such requirements are not met, the subject addition must be brought into compliance with building code requirements and/or removed.

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Date 4/13/90  
By [Signature]

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Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part as hereinafter modified.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of June, 1990 that the Petition for Zoning Variance to permit a side yard setback of 15 feet in lieu of the required 25 feet for the partially completed garage, a side yard setback of 3 feet in lieu of the required 18.75 feet for the existing patio with roof, and an existing accessory structure (barn) with a height of 23 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the accessory structures (garage and barn) to be converted to a second dwelling unit and/or apartments. The garage and barn shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) The height variance granted herein is limited to the remaining life of the existing barn which shall not be renovated or reconstructed in the event of its structural failure. If the existing barn is found to be structurally unsound or becomes a fire hazard at any time, said barn shall be removed from the premises and the variance granted herein expired.

4) Petitioner must apply for building permits for both the garage and the enclosed porch addition, identified as Patio With Roof on Petitioner's Exhibit 1, within thirty (30) days of the date of this Order. Further, Petitioner must take whatever steps are neces-

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Date 4/13/90  
By [Signature]

- 6 -

sary to obtain documentation that the subject enclosure was constructed in accordance with County Code requirements. Such proof of compliance must be submitted to the Zoning Commissioner's Office within forty-five (45) days of the Date of this Order. In the event Petitioner is unable to do so, the variance granted herein shall be rescinded and the property brought into strict compliance with zoning requirements.

5) Upon request and reasonable notice, Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

6) At no time shall the subject property, including but not limited to, the garage or barn, be used for any commercial activity, including but not limited to, Whetzel & Sons Cabinet Shop and Builder.

7) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

AMN:hjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/13/90  
By [Signature]

- 7 -



William E. Doyle  
Professional Land Surveyor 8440  
5312 Emerald Drive  
Sykesville, Md. 21784  
(301) 795-2210

90-440-A

February 26, 1990

Description of Carmel Whetzel property for Zoning situated on the east side of Ridge Road, Election District 2, Baltimore County, Maryland.

Beginning for the same at a point in the centerline of Ridge Road about 2000 ft. southeast of Old Court Road, running thence with the centerline of said Ridge Road, (1) S 10°21'22"E 111.50 ft. running thence leaving said Ridge Road, (2) N 76°54'37"E 204.28 ft. (3) S 10°21'22"E 90.00 ft. (4) N 74°07'03"E 365.02 ft. (5) N 20°51'36"W 128.42 ft. (6) S 82°31'42"W 564.58 ft. to the place of beginning. Containing 1.7903 Acres of land more or less. Being known as 2909 Ridge Road.

Being a part of the same land described in a deed dated May 4, 1981 and recorded among the Land Records of Baltimore County in Liber 6330, Folio 119 from Carmel Whetzel et ux to Carmel Whetzel.

Zoning Description By:  
William E. Doyle  
William E. Doyle  
Professional Land Surveyor 8440



receipt  
No 1560  
Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Date: 3/28/90  
PUBLIC HEARING FEES  
QTY PRICE  
010 - ZONING VARIANCE (11R) 1 \$25.00  
TOTAL \$25.00  
LAST NAME OF OWNER: WHETZEL  
Number: 90-440-A  
Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 2nd Date of Posting: 4-23-90  
Posted for: N. Warner  
Petitioner: Carmel B. Whetzel  
Location of property: 2909 Ridge Road - 2100' S.E. of  
Old Court Road  
Location of Sign: 1/4 mi. front of 2909 Ridge Road  
Remarks: J. Robert Haines  
Posted by: J. Robert Haines Date of return: 4-27-90  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

Carmel B. Whetzel  
2909 Ridge Road  
Baltimore, Maryland 21207

Re: Petition for Zoning Variance  
CASE NUMBER: 90-440-A  
C/L Ridge Road, 2000' SE Old Court Road  
2909 Ridge Road  
2nd Election District - 1st Councilmanic  
Petitioner(s): Carmel B. Whetzel  
HEARING: THURSDAY, MAY 17, 1990 at 9:30 a.m.

Dear Petitioner:

Please be advised that \$100.97 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

JRH:gs

cc: F. Vernon Booser, Esq.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed Petition for Zoning Variance, Case No. 90-440-A, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
Case Number: 90-440-A  
C/L Ridge Road, 2000' SE Old Court Road  
2909 Ridge Road  
2nd Election District  
1st Councilmanic District  
Petitioner(s): Carmel B. Whetzel  
Hearing Date: Thursday, May 17, 1990 at 9:30 a.m.

Variance: to allow a 15 foot side yard setback in lieu of the required 25 foot side yard setback; to allow a 3 foot side yard setback in lieu of the required 18.75 foot setback; and to allow existing accessory structure with a height of 23 feet in lieu of the required 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
CATJ4201 Apr. 18

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 18, 1990.

CATONSVILLE TIMES

S. Zebe Olson  
Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed Petition for Zoning Variance, Case No. 90-440-A, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
Case Number: 90-440-A  
C/L Ridge Road, 2000' SE Old Court Road  
2909 Ridge Road  
2nd Election District  
1st Councilmanic District  
Petitioner(s): Carmel B. Whetzel  
Hearing Date: Thursday, May 17, 1990 at 9:30 a.m.

Variance: to allow a 15 foot side yard setback in lieu of the required 25 foot side yard setback; to allow a 3 foot side yard setback in lieu of the required 18.75 foot setback; and to allow existing accessory structure with a height of 23 feet in lieu of the required 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
CATJ4201 Apr. 18

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 23, 1990  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 18, 1990.

THE JEFFERSONIAN

S. Zebe Olson  
Publisher

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R0016150  
Number: 2514

90-440-A

M9000823

5/16/90  
PUBLIC HEARING FEES  
QTY PRICE  
080 - POSTING SIGNS / ADVERTISING 1 X \$100.97  
TOTAL: \$100.97  
LAST NAME OF OWNER: WHETZEL

B 015\*\*\*\*\*10097:8 5171F  
Please make checks payable to: Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

April 4, 1990

NOTICE OF HEARING

Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-440-A  
C/L Ridge Road, 2000' SE Old Court Road  
2909 Ridge Road  
2nd Election District - 1st Councilmanic  
Petitioner(s): Carmel B. Whetzel  
HEARING: THURSDAY, MAY 17, 1990 at 9:30 a.m.

Variance: to allow a 15 foot side yard setback in lieu of the required 25 foot side yard setback; to allow a 3 foot side yard setback in lieu of the required 18.75 foot setback; and to allow existing accessory structure with a height of 23 feet in lieu of the required 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Carmel B. Whetzel  
Harry Fox  
F. Vernon Booser, Esq.  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

June 21, 1990

Thomas B. Dore, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE  
C/L of Ridge Road, 2000' SE of Old Court Road  
(2909 Ridge Road)  
2nd Election District - 1st Councilmanic District  
Carmel B. Whetzel - Petitioner  
Case No. 90-440-A

Dear Mr. Dore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 897-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Mr. Harry C. Fox, Jr.  
2907 Ridge Road, Baltimore, Md. 21207

People's Counsel

File

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer DATE: March 6, 1990  
Zoning Supervisor

FROM: James H. Thompson  
Zoning Enforcement Coordinator

RE: Item No. 292 (if known)  
Petitioner: Carmel Whetzel (if known)

VIOLATION CASE # C-90-1217

LOCATION OF VIOLATION 2909 Ridge Road

DEFENDANT Carmel Whetzel

ADDRESS 2909 Ridge Road 21207

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS  
Harry Fox 2907 Ridge Road  
Baltimore, MD 21207

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

April 30, 1990

F. Vernon Boozer, Esquire  
614 Bosley Avenue  
Towson, MD 21204

RE: Item No. 292, Case No. 90-440-A  
Petitioner: Carmel B. Whetzel  
Petition for Zoning Variance

Dear Mr. Boozer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Carmel B. Whetzel  
2909 Ridge Road  
Baltimore, MD 21207

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
21st day of March, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Carmel B. Whetzel

Petitioner's Attorney: F. Vernon Boozer

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: March 7, 1990  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: ZONING ADVISORY COMMENTS  
No. 273 - R. Crone  
No. 292 - Carmel B. Whetzel  
No. 291 - Richard M. Wright and  
No. 274 - Richard B. Sinclair

In reference to the above referenced item numbers, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning and Zoning at 887-3211.

PR:JL:gg1  
VARIOUS/TXTGGL

MAR 12 1990

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Building, Suite 406  
Towson, Maryland 21204  
(301) 887-3554

Dennis F. Rasmussen  
County Executive

March 21, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 271, 272, 274, 291, and 292.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lvw

MAR 27 1990

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

MARCH 14, 1990

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

RE: Property Owner: CARMEL B. WHETZEL  
Location: #2909 RIDGE ROAD  
Item No.: 292 Zoning Agenda: MARCH 20, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. Kelly 3-14-90* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/REK

MAR 15 1990

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee  
DATE: April 3, 1990  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for March 20, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 272, 274, 291 and 292.

For Item 271, the ownership of area to be purchased does not agree between plats, i.e. GLB 2368/167 vs. GLB 2368/168, and Alonzo Decker, WJR 3907/322 vs. Camera Bare, Jr. GLB 3292/33.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW  
614 BOSLEY AVENUE  
TOWSON, MARYLAND 21204  
AREA CODE 301  
828-9441

EDWARD C. COVAHEY, JR.  
F. VERNON BOOZER  
MARK S. DEWAN  
ANTHONY J. DIPAUZA  
THOMAS P. DORE  
\* ADMITTED TO D.C. BAR

FAX 301-296-2131

REPLY TO:  
ANNEX OFFICE  
SUITE 101  
608 BALTIMORE AVE.  
TOWSON, MD 21204  
AREA CODE 301  
828-5525

July 24, 1990

Ann M. Nastarowicz, Deputy Zoning Commissioner  
for Baltimore County  
Office of Zoning  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No. 90-440-A  
2909 Ridge Road

Dear Ms. Nastarowicz:

Enclosed please find a copy of the building permit issued by Baltimore County with respect to the above referenced matter. This has been done in compliance with condition one (1) of your Order of June 21, 1990. If you have any questions with regard to this matter, please contact my office.

Very truly yours,

*Thomas P. Dore*  
Thomas P. Dore

TFD/bjs  
cc: Mr. Carmel Whetzel  
7 bjs.120

RECEIVED  
JUL 26 1990

ZONING OFFICE

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW  
614 BOSLEY AVENUE  
TOWSON, MARYLAND 21204  
AREA CODE 301  
828-9441

EDWARD C. COVAHEY, JR.  
F. VERNON BOOZER  
MARK S. DEWAN  
ANTHONY J. DIPAUZA  
THOMAS P. DORE  
\* ADMITTED TO D.C. BAR

FAX 301-296-2131

REPLY TO:  
ANNEX OFFICE  
SUITE 101  
608 BALTIMORE AVE.  
TOWSON, MD 21204  
AREA CODE 301  
828-5525

May 30, 1990

HAND DELIVERED

Ann M. Nastarowicz, Esquire  
Deputy Zoning Commissioner  
for Baltimore County  
Baltimore County Office Building  
Room 401  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: 2909 Ridge Road  
Petition No. 90-440-A

Dear Ms. Nastarowicz:

Enclosed please find an executed copy of the Memorandum of Agreement between Mr. Fox and Mr. Whetzel with respect to the above captioned matter. I hope this will assist you in rendering a decision with respect to Mr. Whetzel's request.

Very truly yours,

*Thomas P. Dore*  
Thomas P. Dore

TFD/bjs  
Enclosure  
5 bjs.133

RECEIVED  
MAY 30 1990

ZONING OFFICE







Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

May 1, 1990



Mr. Harry Fox  
2907 Ridge Road  
Baltimore, Maryland 21207

Dennis F. Reamussen  
County Executive

RE: Case No. C-90-1217  
2909 Ridge Road  
2nd Election District

Dear Mr. Fox:

In reply to your letter of April 23, 1990, a review of the zoning enforcement files did indicate one prior violation case against 2909 Ridge Road, Case No. C-87-562.

In that matter, this office had investigated the property as to an alleged violation (pertaining to setbacks) and a business from a residence. However, we no longer have the subject case file in our record vault. The only conclusion that I can reach is that Inspector Wayne Flegg either found no violation or compliance was obtained and the case file closed.

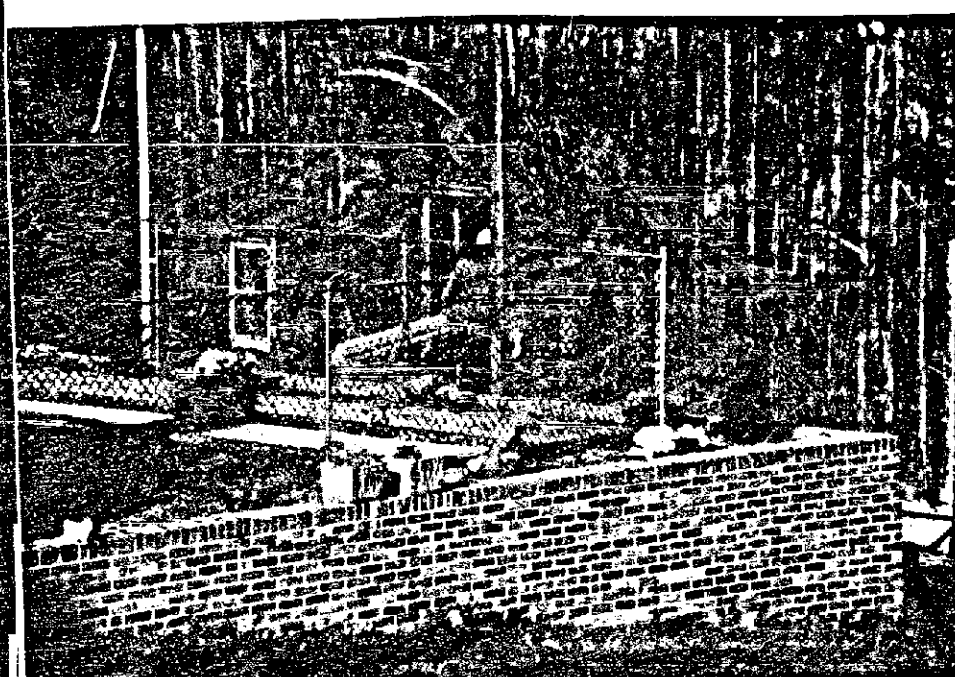
As to whether any permits were issued for any construction or additions to the existing building or for the installation of underground fuel storage tanks, you must consult with Mr. Rick Wisnom, Supervisor of Building Inspection, at 887-3953. However, you may encounter that there agency, like ours, only maintains their permit records for a limited time period.

Sincerely,

JAMES H. THOMPSON  
Zoning Enforcement Coordinator

JHT:ljs

PROTESTANT'S  
EXHIBIT 2



PROTESTANT'S  
EXHIBIT 4

6-1-88 BLUE DUMP, MOVING BUS  
CAT, AND VAN IN TRAILER, PLACED  
ON TRAILER TIED DOWN  
6:22 AM BLUE DUMP PULLED OUT WITH  
TRAILER & BUS CAT,  
5:11 AM BLUE DUMP RETURN WITH  
TRAILER & BUS CAT, DROPPED THE TRAILER & BUS CAT  
DUMP HEFT  
5:55 WHITE CUBE VAN CAME IN PARKED  
OVERNIGHT  
6:16 PM 6:00 BLUE DUMP CAME IN & PARK  
OPEN RED WOODWORKING SHOP STARTED  
RUNNING THE SAW, JIM, JIM, WHITE  
6:21 AM WHITE CUBE VAN CAME IN  
TO THE DRIVEWAY & THE LET OUT A ROUGH  
MINUTS. DUMP HEFT.  
8:13 AM STOP WORKING IN SHOP & THE BLUE  
PULLED OUT.

THE TRUCKS WENT IN & OUT A COUPLE  
TIMES. FINAL 4:10 THE DUMP HEFT

4:25 THE SHOP CLOSED ALL  
DAY EXCEPT FOR THE SHORT TIME  
THERE WAS SAWING & SOME TYPE  
OF AIR TOOL GOING ON ALL  
DAY.  
4:57 NOTICE CUBE VAN PARKED  
THE NIGHT

